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ABSTRACT

It is the work of the job search counselor/facilitator to educate, mentor, and guide the special needs client in identifying and tackling anything that would encumber the job hunter. The purpose of this paper is to provide information to the job search counselor that will enable him/her to fully and skillfully assist the special needs client in obtaining employment. (GCP)

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Facilitating the Job Search for Special Needs Clients

by
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Chapter Four

Facilitating The Job Search For Special Needs Clients

Carolyn C. Bennett

Although there have been great advances in hiring individuals with disabilities since President George Bush signed the Americans with Disabilities Act of 1990, most employment candidates with special needs do not know how to get beyond the invisible selection criteria that are imposed when they apply for jobs. This lack of knowledge results in capable workers being rejected during the selection process. To secure employment, the special needs client needs to know what the hidden criteria are and be able to neutralize any perceived problem issues.

Purpose

It is the work of the job search counselor / facilitator to educate, mentor, and guide the special needs client in identifying and tackling anything that would encumber the job hunter. The purpose of this paper is to provide information to the job search counselor that will enable him/her to fully and skillfully assist the special needs client in obtaining employment.

In this paper, the terms "special needs client," "handicapped individual," "person with disabilities," "differently abled," "individual with a disability," will be used interchangeably. The titles "job search trainer/ counselor" and "employment facilitator" are used interchangeably. This paper applies the term "disability" as a physical or mental impairment which substantially limits one or more of the person's major life activities; a record or history of such an impairment whether the person has been classified or mis-classified as having the mental or physical impairment, to include individuals who are perceived to have such an impairment.

Identifying Marketable Skills

One of the most overwhelming obstacles that the special needs client deals with is assessing his/her own work skills. When many job seekers are asked by a job search trainer what work skills they have, many answer, "Oh, I don't know." When asked what type of work they are looking for,

many respond with, "Anything." The job skills assessment should begin before asking skill and job questions. The job search trainer can determine much information regarding the client's work skills through observation and taking "mental notes."

- Observe *dexterity* (assessing the ability to dial a telephone, package small items, file documents, attach postage and labels, write short telephone memos, assemble small components of a gadget, do craft-work, type, use small machines, etc.)
- Observe *voice level, speech patterns, and confidence level in talking with others* (assessing the ability to answer the telephone or talk with a supervisor and subordinates and speak clearly, with appropriate volume, in a well-modulated tone, with a good word-spacing pattern, and confidence; the ability to talk with others who are familiar, new acquaintances, younger and older people, people of other races, gender, authority, social standing; ability to train them or assist them; the ability to participate in conversation and deliver information for less than one minute, give a presentation up to five minutes, up to twenty minutes, longer).
- Observe *the ability to handle disagreement and unpleasant information* (assessing the ability to appropriately respond in stressful work situations, be able to supervise others, receive correction, take directions, compromise in the workplace, work in a project group or decision-making group, communicate with those in authority or subordinates).
- Observe the *ability to maneuver* (assessing the appropriate type of workplace setting; the ability to get around in an environment with chairs, desks, people, stairs and floor levels, or to move and work outdoors in an uneven terrain).
- Observe and sense *health and grooming condition* (assessing appropriate business grooming/cleanliness or personal care indicating a need for a protected work environment tolerant of human hygiene problems).
- Observe the *ability to understand directions, follow steps in a task, ask questions to clarify, communicate verbally, communicate with gestures and body language; demonstrations of behavior and emotional expression, basic personality traits, and mental stability* (assessing benefit from work skills training on or off the job site, ability to communicate with others to convey information).

Each time the client is observed, the job facilitator will ascertain information to determine if the client possesses work skills or the potential to develop needed work skills. The facilitator will consider, with each assessment, if reasonable accommodation is

indicated for the client to be able to perform the work. Keeping in mind the observed attributes of the client, the job search facilitator is then prepared to discuss employment possibilities with the client (or representative). The job search trainer can ask the client what types of activities he/she like to do (home, social center, sports involvement, machines used), and then can expand on how these or similar skills can be useful to employers.

Resume Guidelines For Marketing Skills

The goal of the résumé is to get an interview. Skills get hired. Everything on the résumé should show the employer why the candidate should be hired. If a disability is evident, then the candidate can tackle any concerns by the employer regarding the disability in the interview. A mistake many writers make is to include information on a résumé that is personal, or in a subtle way reveals difficulties or handicap; for example, if a job candidate writes that he/she is a member of the American Diabetes Association, he/she is disclosing a possible health condition. Use of the term "Volunteer" instead of a job title may falsely indicate that the client was not performing work at the acceptable level of a paid worker, and so was not on the payroll. Most supervisors will agree to the client's use of an actual title on a résumé rather than the term "volunteer." If the candidate performed a function, they did the work; avoid the use of the term "assisted" when describing work. Avoid using "part of a team that..." and just describe what the candidate did. Avoid indicating that a reasonable accommodation was used to perform the work. Use work experience that was performed in regular places of employment whenever possible; only if there are no options should the job seeker use sheltered workshops or training centers in job descriptions or work experience. Write a specific objective naming the type of job desired; follow with a list of specific work skills and projects completed. References can be friends and acquaintances and are necessary; give them without being asked. The employer will usually contact references before making an interview appointment.

Communicating Job Skills In An Interview

In the interview the job candidate has the opportunity to convince the employer that he/she is the best choice for the job. The job search facilitator will often find that the interview preparation is the most time-consuming part of getting a client ready for employment. First, make sure that the résumé has been delivered to the employer at least two days prior to the interview. It is absolutely necessary that the job candidate

view the upcoming interview positively. Employment candidates have expressed frustration, confusion, and even hostility at the employer asking the candidate to return for a second or third interview. An employer never requests a second or third interview unless they are considering the candidate for the job; it's a waste of the employer's time and money to interview someone for fun, and they don't do it. The two or three-phase interview is likely if the position being filled is not at the entry level; accountant, supervisor, branch office manager, bank teller, bookkeeper, graphic artist, administrative assistant, and legal assistant are positions often hired after two or more interviews. In the job interview the candidate must talk about work duties he or she can do on the job (typing letters, trouble-shooting computers, transcribing medical records, doing accounts receivable, managing staff, etc.). It is illegal for the employer to ask disability-related questions. The special needs candidate is wise not to bring up the subject of reasonable accommodation during the interview if the disability is not evident. At any time after obtaining the job, the special needs client can request reasonable accommodation.

Answering Probing Interview Questions

The employer who is skilled at selecting employees will ask the job candidate legally appropriate questions which will provide information about the client's ability to perform the work and expected compensation. More than the typical job seeker, the individual with disabilities must be aware of his/her pre-employment rights and be prepared to navigate an interview in a skills-selling way. The job interviewee can expect the employer to make some small talk to put the candidate at ease. Some employers use the façade of a friendly conversation to get personal information that can not legally be asked in an interview. The employer who talks about family, sports, how their spouse was injured and was in the hospital, or other non-work skills talk is probably using the conversational technique to lead the job candidate to disclose personal information, and this could reveal a disability. The job seeker with disabilities, or his/her representative, must sense when the employer is leading the interview into areas which would disclose the candidate's disability and violate his/her rights under the Americans with Disabilities Act (ADA). The job search client will benefit by doing mock interviewing with the job search trainer. Some legally acceptable questions are potential pitfalls for the special needs candidate who has not prepared, and the candidate might prematurely describe the need for reasonable accommodation. Examples: "How would you perform this job?" "Tell me how you operate the XLQ machine." "Why did you leave your last job ?" "How would your past employer describe your work?" The "litmus test" as to whether a question

is inappropriate for the interviewer to ask can be best determined by the ADA's definition: "*A disability-related inquiry is a question or series of questions that is likely to elicit information about a disability.*" Example: "Are you able to bend over?" Here are ways to handle the inappropriate question:

(a) The special needs candidate can say something like, "I understood that type of question is not valid to ask in a job interview."

(b) The special needs candidate might ask the interviewer to explain the reason for asking the question: "Please explain the question, I don't understand why it's being asked."

(c) The job candidate can ignore the inappropriate question and explain their work abilities and types of equipment, tasks, etc., which they are able to manage. It is common to find employers giving the job interviewee a leading scenario that includes references to disabilities. The client can safely reply by saying, "Thank you for sharing that."

Reasonable Accommodation

Reasonable accommodation is an adjustment to the workplace which does not produce an undue hardship to the employer and which enables the employee to perform work, have access to the workplace, benefit, and compete on an equal status with others. Reasonable accommodation applies when the employer or business has fifteen or more employees and is covered by Title I of the Americans with Disabilities Act (private employers and local and state governments) and the Rehabilitation Act (federal agencies). Only after the candidate is hired can the employer ask if the employee needs reasonable accommodation.

In Brief: Laws Governing The Employment Of Individuals With Disabilities

The Rehabilitation Act of 1973 (federal employment), as amended in 1992 and 1998, prohibits discrimination in employment; it also requires that direct services be provided to people with disabilities to help them to become qualified for employment.

- The Rehabilitation Act Amendments, Section 501, was amended in 1992 to apply the ADA employment standards to all non-affirmative action employment discrimination claims filed by federal applicants or employees, 29 U.S.C. # 791 (g).
- Section 501 prohibits federal executive branch agencies from discriminating against qualified individuals with disabilities, and it requires federal agencies to take affirmative action in the hiring, placing and promoting individuals who have a disability.

- Section 503 requires contractors who have contracts with the federal government for $10,000 or more annually to take affirmative action to employ and to advance in employment qualified individuals with disabilities.
- Section 504 prohibits recipients of federal financial assistance from discriminating against qualified individuals with disabilities in employment as well as in their other programs and activities.
- Section 504 applies to federally funded programs; it protects the civil rights of people with disabilities. It prohibits discrimination on the basis of disability by the federal government and any contractors or recipients of federal funding.
- ADA prohibits private sector employers who employ 15 or more individuals, and all state and local government employers, from discriminating against qualified persons with disabilities in all aspects of employment.
- The Title I of the Americans with Disabilities Act of 1990 (ADA) limits an employer's ability to make disability-related inquiries or require medical examinations at three stages: pre-offer, post-offer, and during employment.
- Title II applies to state and local government funded programs. The same requirements apply to both state and local government entities.
- Title III of the ADA provides that civil rights protections are provided for people with disabilities in the private sector.
- The ADA does not require private employers to have affirmative action programs. Sections applicable to the federal government through the Rehabilitation Act are: 42 U. S. C. ##12111 et. seq. And 42 U.S.C. ## 12201-204 and 12210.
- The Vietnam Era Veterans' Readjustment Assistance Act of 1974.
- The Pregnancy Discrimination Act, amended Title VII of the Civil Rights Act of 1964, prohibits the discrimination in employment of pregnant or women having related medical conditions.

Reporting Complaints And Violations

Title I (Employment) complaints (state, local government, private employers):

Equal Employment Opportunity Commission
1-800-669-4000 (voice)
(202)-663-4900 (voice) [national, Washington, D. C.]
(202) 663-4494 (TDD) [national, Washington, D. C.]

These contacts enable the caller to reach the local field office in your area.

Equal Employment Opportunity Commission
1801 L. Street NW, Washington, DC 20507
(800) 669-EEOC Voice; (800) 800-3302 TTY

Title II complaints (units of state or local governments, or violations of Title III by public accommodations and commercial facilities, private businesses and non-profit service providers):

Disability Rights Section, Civil Rights Division
U. S. Department of Justice
Post Office Box 66738

U.S. Department of Justice
Civil Rights Division
Office on the Americans with Disabilities Act
P.O. Box 66118, Washington, DC 20035-6118
(202) 514-0301 Voice; (202) 514-0383 TTY

Summary

The job search counselor or employment facilitator who works with the special needs client can benefit both the client and the prospective employer by helping the client determine the work skills they can offer and how the skills match the needs of employers who have job openings or can create openings. Many times, the job seeker and the employer do not realize what the other can "bring to the table." The employer may believe the individual with disabilities is going to require major changes in the workplace; the special needs client might think they and their work skills are not recognized or wanted. The job search counselor facilitates the process so that the employer and special needs candidate both benefit from the employment selection.

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